

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**JUAN GARCIA,
JOSE ELIAS GARCIA,
LEONARDO VARGAS-GONZALEZ,
and THOMAS WILSON,**

Defendants.

8:05CR94

ORDER

This matter is before the court on the MOTION TO CONTINUE TRIAL [280] filed by defendant, Thomas Wilson. Defendant has filed a waiver of speedy trial pursuant to NECrimR 12.1. For good cause shown, trial will be continued to Tuesday, **January 16, 2007**.

IT IS ORDERED that the motion to continue trial [280] is granted, as follows:

1. Trial of this matter is continued from November 7, 2006 to **January 16, 2007** before Judge Laurie Smith Camp and a jury.

2. In accordance with 18 U.S.C. § 3161(h)(A), I find that the ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between **November 7, 2006 and January 16, 2007**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act, 18 U.S.C. § 3161 because counsel require more time to effectively prepare the case, taking into account the complexity of this matter and the exercise of due diligence. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED October 13, 2006.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**